IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1227 OF 2007

Vasudev @ Vikas Vasant Awasthi. ..Petitioner.

Versus

The State of Maharashtra. ..Respondent.

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Ms.Rebeca Gonsalves, Adv. appointed for the Petitioner.

Mrs.A.S.Pai, APP, for the State.

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CORAM : R.M.S.KHANDEPARKAR AND SMT.V.K.TAHILRAMANI,JJ.

DATED : SEPTEMBER 07, 2007.

P.C.:-

1. Heard.

2. The petitioner had preferred an application for parole on the ground of illness of his wife. The said application came to be rejected. Being aggrieved thereby, the

petitioner had preferred Appeal before the State Government. The said Appeal came to be dismissed. Hence this Petition.

3. The application for parole came to be rejected on the ground that on the earlier three occasions when the petitioner was released on parole or furlough, he has overstayed. When the petitioner was released on furlough on 16.10.1984 he has overstayed for 156 days. Thereafter, the petitioner came to be released on parole on 8.7.1987. On that occasion the petitioner overstayed for approximately 10 years & 3 months. He had to be arrested and brought back to prison. Even thereafter on 24.10.2003 the petitioner was given a chance and he was granted furlough. However, again he did not surrender back in time and he has overstayed. Moreover the learned APP states that the behaviour of the petitioner in prison has not been satisfactory.

4. In view of the above facts, we find no

fault with the competent authority for rejecting the application for parole, so also we cannot find fault with the appellate authority for dismissing the appeal of the petitioner. No interference is called for. Writ Petition is rejected.

[R.M.S.KHANDEPARKAR,J.]

[SMT.V.K.TAHILRAMANI,J.]